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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,308	05/11/2001	David L. Summers	14999.39.1	7820
7590	11/16/2004			
R Burns Israelsen WORKMAN, NYDEGGER & SEELEY 1000 Eagle Gate Tower 60 East South Temple Salt Lake City, UT 84111				
			EXAMINER HOOSAIN, ALLAN	
			ART UNIT 2645	PAPER NUMBER

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/854,308	Applicant(s) SUMMERS ET AL.	
	Examiner Allan Hoosain	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 August 2004.
- 2a) ☒ This action is FINAL.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## FINAL DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-19,21-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Wise et al.** (US 5,884,262).

As to Claims 1,14-19,21-23,24,31, with respect to Figures 1-3, **Wise** teaches in a network that includes a server system, 18, connected to the Internet, 15, and a computer system, 200, and a telephone system, 10, that communicate with the server system, a method performed at the computer system for enabling a user to navigate a web page (map an Internet document) to

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control how text and links of the web page (Internet document) will be presented to the user over the telephone system, the method comprising:

receiving a web page (an Internet document) in response to user request (first user input) received from the computer system, wherein the web page (Internet document) comprises at least one of text and links (Col. 2, lines 7-11); and

creating a user profile (a user-defined map of the Internet document) that controls which portions of the web page (Internet document) are presented to user over a telephone system without modifying of the web page (Internet document) (Col. 2, lines 18-34 and Col. 9, lines 1-12) by performing:

receiving titles (a second user input) that selects a region of the Internet document to be mapped (Col. 2, lines 18-19);

receiving headlines (a third user input) that causes one of either text and links of the selected region to be mapped (Col. 2, lines 20-22); and

receiving general text (a fourth user input) that associates a particular name with the selected region (Col. 2, lines 21-23); and

wherein the user profile (user-defined map) is transmitted to and stored in a database of the server system (Col. 9, lines 1-12);

**Wise** does not teach a user profile which has first to fourth user inputs. However, **Wise** teaches that user profiles allow a user to bypass system menus and submenus of web pages and present users with directed system prompts (Col. 2, lines 18-48 and Col. 9, lines 1-12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention

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was made to add user profiles which would direct the system to play back specific prompts for particular web pages and based upon the user profiles.

As to Claims 2,27, **Wise** teaches a method as defined in claim 1, further comprising an audio representation of any text and any links contained in the Internet document that correspond to the user-defined map in response to a first user request entered at the telephone system (Col. 9, lines 1-12).

As to Claims 3,28, **Wise** teaches method as defined in claim 2, transmitting said audio representation is transmitted to the user over the telephone system in response to a second user request entered at the telephone system (Col. 9, lines 1-12 and Col. 18, lines 18-34).

As to Claims 4,30, **Wise** teaches a method as defined in claim 2, wherein prior to the act of generating an audio representation of any text and any links, the Internet document is parsed to identify any text and any links included in the selected region of the Internet document (Col. 2, lines 18-34).

As to Claims 5,25, **Wise** teaches a method as defined in claim 1, wherein said Internet document comprises HTML content (Col. 2, lines 7-18).

As to Claim 6, **Wise** teaches a method as defined in claim 1, wherein the first user input comprises a Uniform Resource Locator (Col. 6, lines 46-51).

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As to Claims 7,26,33, **Wise** teaches a method as defined in claim 1, further comprising the act of displaying the Internet document on a user interface associated with the computer system (Col. 8, lines 50-54).

As to Claims 8,29,32, **Wise** teaches a method as defined in claim 1, further comprising prompting the user for the first user input, second user input, third user input, and fourth user input (Col. 2, lines 19-34 and Col. 9, lines 1-12).

As to Claim 9, **Wise** teaches a method as defined in claim 1, wherein the second user input comprises a user command (highlighting a region) of the Internet document (Col. 3, lines 4-8).

As to Claim 10, **Wise** teaches a method as defined in claim 3, wherein the third user input indicates that links are to be mapped, such that at least one link associated with the selected region is mapped, and wherein the at least one link is associated with at least one other Internet document (Col. 2, lines 42-44,59-62).

As to Claim 11, **Wise** teaches a method as defined in claim 10, wherein presenting the user with a prompt at the telephone system to select the at least one link (Col. 9, lines 1-12, Col. 7, lines 55-65).

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As to Claim 12, **Wise** teaches a method as defined in claim 11, wherein the second user request selects the at least one link in response to the prompt at the telephone system to select the at least one link (Col. 9, lines 1-12).

As to Claim 13, **Wise** teaches a method as defined in claim 12, wherein upon receiving the second user request at the telephone, transmitting an audio representation of text of the at least one other Internet document to the user over the telephone system (Col. 9, lines 1-12).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Wise** in view of **Ball et al.** (US 6,459,774).

As to Claim 20, **Wise** teaches a method as defined in claim 17, wherein the Internet document comprises voice files:

**Wise** does not teach the following limitation:

“voice extensible Markup Language content”

**Ball** teaches voice extensible Markup Language aiding users to access web documents using audio terminals (Col. 5, lines 44-61). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add voice extensible capability to **Wise's** invention for facilitating audio access as taught by **Ball's** invention in order to provide users with audible representations of web page information.

### *Response to Arguments*

7. Applicant's arguments in the 8/30/04 Remarks with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Wynblatt et al.** (US 6,018,710) teach retrieving web documents over the telephone.



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9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any response to this final action should be mailed to:

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications; please mark "EXPEDITED  
PROCEDURE")

**Or:**

(703) 306-0377 (for customer service assistance)

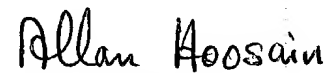
Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
**Allan Hoosain**  
**Primary Examiner**  
**11/15/04**